IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36802 of 2007(F)

PETITIONER:

K.UMMER,(UNDER ORDER OF TRANSFER)
PUBLIC WORKS OVERSEER GRADE-I/BUILDING INSPECTOR,
MANJERI MUNICIPALITY, MANJERI.

BY ADV. SRI.P.NARAYANAN

RESPONDENTS:
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1. THE DIRECTOR OF MUNICIPALITIES,
THIRUVANANTHAPURAM.

2. THE MANJERI MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
MANJERI.

3. THE CHAIRPERSON,
MANJERI MUNICIPALITY, MANJERI.

4. MECHERI ABDUL AZEEZ @ BAPUTTY,
THE CHAIRMAN, STANDING COMMITTEE FOR PUBLIC WORKS,
MANJERI MUNICIPALITY, MANJERI.

BY GOVT. PLEADER SRI.BEJOY CHANDRAN
SRI.M.P.ASOK KUMAR FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 36802 of 2007

Dated this the 13th December, 2007

J U D G M E N T

The petitioner who is working as Overseer Grade-I/Building Inspector in the Manjeri Municipality - the 2nd respondent is aggrieved by Exhibit-P2 order of transfer passed by the Director of Municipalities. According to the petitioner, the reason stated in Exhibit-P2 is baseless. Apparently, there was no complaint by the Chairman of the Standing Committee for Public Works against the petitioner, though that is the reason referred to in Exhibit-P2, contends the learned counsel for the petitioner. He refers to Exhibit-P3 which is dated 11.12.2007, later in point of time to the reference made in Exhibit-P2. Learned counsel for the petitioner contends that the basis for the petitioner's transfer seems to be different from what is projected in Exhibit-P2.

May be there is substance in this contention going by Exhibit-P3. In my view, the petitioner's grievance will have to be looked into by the 1st respondent in the first instance. A copy of the writ petition has been served on the standing counsel for the Municipality.

In the result,this writ petition is disposed of permitting the petitioner to file a representation seeking revocation or variation of Exhibit-P2 order of transfer, before the 1st respondent. If he files a representation in this regard, within one week from today, it shall be looked into and appropriate decision shall be taken, after hearing the petitioner and, if necessary, after calling for remarks from the Manjeri Municipality, within three weeks thereafter.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007